

FILED

STATE OF NORTH CAROLINA
JUDICIAL DISTRICT 12
CUMBERLAND COUNTY

2020 MAY -5 P 11
CUMBERLAND CO., C.S.C.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

20 R 714

BY _____

IN RE: THE SCHEDULING AND
HOLDING OF CIVIL SUPERIOR
COURT MOTIONS, AND OTHER
MATTERS NORMALLY SCHEDULED
FOR HEARING IN COURTROOM
BY AUDIO-VIDEO CONFERENCE

ADMINISTRATIVE ORDER

THIS ADMINISTRATIVE ORDER is being entered to ensure the fair and proper administration of justice and to mitigate the disruption to the orderly operation of the Courts in the Twelfth Judicial District caused by COVID-19. The undersigned Senior Resident Superior Court Judge enters this Administrative Order pursuant to N.C.G.S. §7A-39 and the inherent authority of the court.

On April 2, 2020 Chief Justice Beasley entered an updated order pursuant to G.S. 7A-39(b)(2) declaring that catastrophic conditions exist in all North Carolina counties due to the Coronavirus Pandemic. The order directs local court officials to schedule or reschedule all superior and district court proceedings for a date no sooner than June 1, 2020 unless the proceeding can be conducted remotely. It authorizes proceedings to be conducted remotely by audio and video transmissions.

After consultation with the Clerk of Court, the Trial Court Administrator's Office (TCA), members of the Cumberland County Bar and other Superior Court Judges, it has been determined that conducting audio-video conferences for civil motions and other matters normally scheduled in Cumberland County Civil Superior Court is a viable alternative to in-person hearings and should be attempted.

WHEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED, effective immediately and through the June 8, 2020 session, unless repealed, replaced, or rescinded by another applicable order, all civil motions normally scheduled in Cumberland County Civil Superior Court shall be conducted by audio-video conferencing.

IT IS FURTHER ORDERED THAT THE FOLLOWING PROCEDURE BE USED TO SCHEDULE AND CONDUCT THE AUDIO-VIDEO CONFERENCES:

The audio-video conferencing platform will be Cisco Webex. A Webex account is not needed to participate. The application may be downloaded here: <https://help.webex.com/en-us/0tow9g/Download-the-Cisco-Webex-Meetings-Desktop-App>

Instructions for joining a meeting can be found here: <https://help.webex.com/en-us/n62wi3c/Get-Started-with-Cisco-Webex-Meetings-for-Attendees> and here: <https://www.youtube.com/watch?v=ru85544RveA>.

Motions shall be heard on Mondays of our regular court sessions by audio-video conference only. Prior to scheduling a hearing, the moving party shall consult with and have the agreement of the opposing party as to date unless the opposing party has not entered an appearance in the case (i.e. default judgment motions). No party may "opt" to appear in person. If an opposing party or counsel refuse to communicate regarding the date and time the moving party shall set the hearing and the opposing party shall submit any objection to the hearing no later than 2 days before the hearing to the Trial Court Administrator at Ellen.B.Hancox@nccourts.org.

All briefs, memorandum of law, or affidavits shall be delivered to opposing counsel/party and emailed to the Trial Court Administrator at Ellen.B.Hancox@nccourts.org

Parties may schedule a remote hearing by completing a notice of hearing using our local form (**See attached notice CCLF-04A**) and faxing the form to 910-475-3017 or by mail to the Trial Court Administrator's office, P. O. Box 363, Fayetteville, NC 28302, attention: Adrienne Graham, Superior Court Case Manager. If you have any questions, please contact Adrienne Graham at Adrienne.B.Graham@nccourts.org

A motions calendar will be posted the Thursday prior to the session on www.nccourts.org under Cumberland County Civil calendars. Your specific time for your hearing will be noted on the posted calendar. Time limits will be strictly adhered to by the presiding judge.

In Accordance with Section 18 of Article I of the Constitution of North Carolina these proceedings are open to the public. Any individual interested in viewing the proceedings may do so by contacting Adrienne.B.Graham@nccourts.org or Ellen.B.Hancox@nccourts.org for a link to the proceedings.

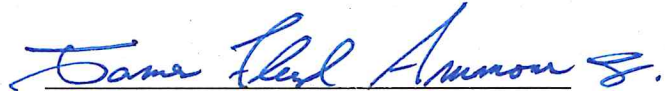
No one other than named litigants, attorneys of record, attorneys seeking *pro hoc vice* admission, or attorneys representing individuals moving to intervene or quash subpoenas will be allowed to participate in the video conference. However, an invited participant may forward the invitation to others, including clients, associates, paralegals, administrative assistants, etc.

All hearing participants who did not receive a direct invitation from the court shall have their microphones muted unless directed otherwise by the presiding judge.

The TCA's Office will schedule the hearings, issue Webex invitations to participants by 5:00pm on the Wednesday of the week before the scheduled video hearing, serve as Webex host and provide the judge and clerk with weekly calendars.

If evidence is tendered and received the offering party shall send a copy to the clerk as instructed by the presiding judge

Entered and effective, this the 5th day of May 2020.

A handwritten signature in blue ink, reading "James Floyd Ammons, Jr.", written in a cursive style.

The Honorable James Floyd Ammons, Jr.
Senior Resident Superior Court Judge

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND
Name of Plaintiff

File No.

IN THE GENERAL COURT OF JUSTICE

☐ SUPERIOR COURT DIVISION

Vs.

Name of Defendant

**NOTICE OF
MOTION HEARING
Conducted by Remote Audio/Video
Conferencing**

Cumberland County Local Rule 10

TO THE PARTIES AND THEIR ATTORNEYS OF RECORD

The Trial Court Administrator has assigned a date and time certain for this motion hearing which will be conducted **remotely** by audio video conferencing using **by Webex Technology** in the above-captioned case the following: **All Counsel/parties must provide an email address to the Trial Court Administrator's office on this notice.** The audio-video conferencing platform will be Cisco Webex. A Webex account is not needed to participate but it is a free application. The application may be downloaded here: <https://help.webex.com/en-us/0tow9g/Download-the-Cisco-Webex-Meetings-Desktop-App>

Instructions for joining a meeting can be found here: <https://help.webex.com/en-us/n62wi3c/Get-Started-with-Cisco-Webex-Meetings-for-Attendees> and here: <https://www.youtube.com/watch?v=ru85544RveA>.

NATURE OF MOTION

Date of Hearing: Counsel shall consult opposing counsel /parties before selecting a date.

TIME Of Hearing: to be set by TCA and will appear on the posted calendar the Thursday before the session at nccourts.org under Civil Superior Calendars

Total time needed for the hearing

Information: A motion calendar will be posted on nccourts.org under Civil Calendars for Cumberland County. If you have any **Superior Court** questions please contact Adrienne Graham by email at : Adrienne.B.Graham@nccourts.org or by phone at 910-475-3261.

Place of Hearing

**Remote Hearing to be conducted
using WEBEX Technology**

Date

Name of Attorney/Party

Address, email and Telephone Number

Copies of this Notice of Hearing have been provided to the Trial Court Administrator and served on the following by U.S. Mail, as required by law:

Date Mailed:

NOTICE: All counsel/parties have a continuing obligation to notify this office of any correction/addition/deletion of counsel.